

**Amendments to the Claims**

1. (Currently Amended) Method for operating a boiler (6)-of a device such as a coffee maker (1), which boiler (6)-comprises a container (61)-for containing water and a heating element (62)-for heating the water to a predetermined temperature, the method comprising the following successive steps:

- 1) activating the heating element (62)-of the boiler (6)-during a predetermined length of time;
- 2) measuring at least one characteristic of the thermal behaviour displayed by the boiler (6)-as a consequence of the activation of the heating element (62);
- 3) verifying whether the measured characteristic is in a range associated with thermal behaviour of a boiler (6)-filled with water or a range associated with thermal behaviour of an empty boiler (6);
- 4) only in case the measured characteristic appears to be in the range associated with thermal behaviour of an empty boiler (6), filling the container (61)-of the boiler (6)-with a predetermined quantity of water; and
- 5) activating the heating element (62)-of the boiler (6)-to heat the water in the container (61)-of the boiler (6)-to the predetermined temperature.

2. (Currently Amended) Method according to claim 2, wherein the third step comprises comparing the measured characteristic with a reference characteristic, which is between the range associated with thermal behaviour of a boiler (6)-filled with water and the range associated with thermal behaviour of an empty boiler (6), in order to determine whether the measured characteristic is at a side of the reference characteristic where the range associated with thermal behaviour of a boiler (6)-filled with water is or a side of the reference characteristic where the range associated with thermal behaviour of an empty boiler (6)-is.

3. (Currently Amended) Method according to ~~claim 1 or 2~~claim 1, wherein the second step comprises measuring a temperature change in the boiler (6)-at a measuring position which is located at a distance from the heating element (62), over a time interval having a predetermined length and a predetermined starting time with respect to a starting time of the operation of the heating element (62); and

wherein the third step comprises comparing a measured temperature change with a predetermined reference temperature change which is below a range of temperature changes associated with an empty boiler (6), and which is above a range of temperature changes associated with a boiler (6)-filled with water.

4. (Currently Amended) Method according to ~~any of claims 1-3~~claim 1, wherein the device (1)-comprises a pump (4)-for pumping water to the boiler (6), and wherein the fourth step comprises activating the pump (4)-during a predetermined length of time.

5. (Currently Amended) Method according to ~~any of claims 1-4~~claim 1, wherein the second step is performed after the predetermined length of time during which the heating element (62)-of the boiler (6)-is activated has lapsed.

6. (Currently Amended) Method according to claim 5, wherein the second step is performed after a temperature change of a filled boiler (6), measured over a predetermined time interval, has become smaller than a temperature change of an empty boiler (6), measured over the same time interval.

7. (Currently Amended) Method according to ~~any of claims 1-6~~claim 1, wherein the fifth step is initiated before the fourth step has finished.

8. (Currently Amended) Method according to ~~any of claims 1-7~~claim 1, wherein the predetermined quantity of water with which the container (61)-of the boiler (6)-is filled during the fourth step is equal to or smaller than the volume of the container (61).

9. (Currently Amended) Device such as a coffee maker (1), comprising a boiler (6)-which comprises a container (61)-for containing water and a heating element (62)-for heating the water to a predetermined temperature, and a controller (10)-which is programmed such as to perform the method for operating the boiler (6) according to ~~any of claims 1-8~~claim 1.

10. (Currently Amended) Device (1)-according to claim 9, further comprising a temperature detector (11) for detecting a temperature inside the boiler (6), which temperature detector (11) is located at a distance from the heating element (62).